G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

191 . P
(Municipal)

File No. 172 of 03-0

Serial Nos. 1 - 4

~~**Papers Filed.**~~ B

Month July 03

SUBJECT.

Petition of Hombasetty regarding the demolition of his house in Patradaganigakere, Mysore

PREVIOUS REFERENCES. LATER REFERENCES.

Commissioner
DSO

the Dewan of Mysore.

e No. (if any)

Directions.

No., date and purport of repts to be entered in red, and note in black ink in order dates.—To be written only on one side, and inside the line of n.

Office Note.

Branch Local Boards Branch

Subject Letter no 17 dated 4th August 03 from the President of the Municipal Commission Mysore City, reporting on the petition of Housekeepers of Mysore reg the demolition of his house -

The Presidents letter Contains full facts of the case In the circumstances stated therein may the petitioner be informed that the Government see no grounds for interference Draft endorsement submitted for approval or other orders

17/8/03 13/8/03

17/8/03

The Dewan through the 2nd Councillor.

4-03

There were (1) a formal declaration, (2) a formal award (3) a reference to Court as required by Law (4) a decision by the Court - That being so, the petitioner has no valid grievance to be redressed on the allegation that the demolition of his memorial building is about the destruction of the property

12355/20.8.03

20/8/03

~~Order~~.

Enst issued No 976 of the
29th August 1903 dy 41-01

(1) Mul R 1902-03-04 1903-04

No. 402

Name of Petitioner Honna Setti

Village Sanikar Street

Taluk Devaraj Mohalla

District Mysore city

Date of Arzi July 03

Date of Receipt 6-7-03

Date of Disposal

No. of Enclosure nil

To the P. Engineer City. No 6032 Dated

Copy of the Private Secy
letter No 59 dated 4-7-03

Three petns (of which
two come) are trans-
mitted to the Secretary to the
Govt of Mysore in the General
& Rev. Depts for disposal

By order
(Signed) E. Macnaghten
Offg
Private Secy to H.H.

Transferred to the
Local & Mun Branch
1
7.03.

15/7/03

2nd Please return previous petition
[illegible] previous petition is Mad
[illegible]
17/7

2nd 18/7

ABSTRACT

Memorial to H. High
the Maharaja complaining
that the houses Nos 1 and 2,
in the Patnada Sanikara of
Devaraja Mohalla, Mysore
city were forcibly taken
possession of by the Muni-
cipal authorities as being
required for the compound
of the Girls' School (near
the city Market) under
construction, that the
said houses were [illegible]

- liabel without paying
compensation thereof and
yet to the petitioner and
that his several letters
to the Vice President
remain unreplied to

Pray that the authorities
concerned be pursued and
adequate compensation
granted to the petitioner

Sd/- 13/7/08

72

6-7-13

(8)

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE.

Mysore, 4th July 1903.

Three Petitions as shown below, to His Highness the Maharaja, are transferred to the Secretary to the Government of Mysore in the General and Revenue Departments, Bangalore, for disposal.

No. 28 dated 3rd July 1903.
No. 29 dated 3rd July 1903.
No. 30 dated 3rd July 1903.

By Order,

I. C. S.
Private Secretary
to H. H. The Maharaja of Mysore.

O S no 17 of 1901. 1902

In the Court of the District judge at mysore

Dated the 21st day of July 1902

Present - B. Tirumalachar Esqr B.A.
District Judge

Deputy Commissioner mysore Distt. } Plaintiff

1. Komba chetty
2. Ramaswamy
3. Bettaiah
4. Kempi

} Defendants

Suit referred to by the Deputy Commissioner mysore District for the determination of the amount of compensation for the houses and vacant site acquired by the Municipality as the owner claims more than the amount awarded

Judgment

The 1st and 4th Defendants are treated ex parte The 1st Defendant has failed to appear and to show that the compensation fixed by the Deputy Commissioner for the houses acquired by it

by the Municipality, is inadequate
the amount of compensation fixed
by the Deputy Commissioner is therefore
accepted as representing the correct
value of those houses out of the
land Sum the 2nd and 3rd Defendants
will each get the amount due to them
on their respective mortgage bonds.
The balance if any will be paid to
1st Defendant who will bear the
Plaintiff's costs as well as the costs of
the 2nd and 3rd Defendants

(Sd) B. Sivasubramaniam
District Judge.

Copy.

Sd Illegible
Secretary

Dos President

Municipal
172 of 03-04
2.

sl.

Official Memo

The accompanying petition Registered as No. 72/102 dated the 6th July 03 from one Hosur Lelly to the address of H.H. the Maharaja Comg that his house Nos. 122 in Patnada Ganigar-Kere Mysore City were forcibly acquired by the Municipality and demolished without paying compensation therefor upto date, and that his several petitions to the Vice-President have fetched no reply, and praying that compensation may be paid to him, is forwarded to the President of the Municipal Commission. Mysore City for an early report into records

R 403.
L.7-41-1901 / 25/7/03

Ltr/Rtn!

23/7/03

Secy

21/7/03

(41) (3)

Ex 17

The City Municipal Office,
Mysore.

Dated 4th August 1903.

From

Mr. Kantharaj Urs. Esqr. B.A.
President, City Municipal Commission,
Mysore.

To

H.V. Narasimhaiyar. Esqr. M.A. M.L.
Secretary to the Govt. of Mysore,
Rev. & Gen. Depts.

Sir,

Plaf A

With reference to your official memorandum No. 403 / L741-01 dated 25th July 1903 forwarding for report petition from Honna Setty of Mysore to the address of His Highness the Maharaja Complaining that his houses Nos 182 in Patnadaganigahere, Mysore City, were forcibly acquired by the Municipality without payment of Compensation therefor and that his several petitions to the Vice-President — ... fetched no reply and that Compensation may be paid to him, I have the honour to state as

as follows:-

2. Notification No. 4327-29 / 1883-96 dated 7th September 1901, Houses No. 2168 and 2169 belonging to Homma Setty in Patuadagamigakere were declared under the Land Acquisition Regulation as required for public purpose. A formal award was made for these houses and a Compensation of Rs 270/- was fixed.

As Homma Setty refused to accept the award and as there were others claiming a share in the amount awarded, the case was referred to the District Court for adjudication under the provisions of Sections 18 and 30 of the Land Acquisition Regulation.

As Homma Setty refused even after the intimation of award to deliver possession of the houses, the Deputy Commissioner directed the City Magistrate to deliver possession of the houses to the Municipality under the

provisions of Section 47 of the Land Acquisition Regulations.

The houses were made over to the Municipality by the City Magistrate and they were demolished and the site was sold to the Wesleyan Mission for the Construction of a School for girls as sanctioned in Government Proceedings No. 13313-14 / 1741-1901 dated 13th February 1902

In regard to his petitions to the Vice-President Hamma Setty was given the marginally noted endorsements to the effect that his Case had been referred to the District Judge for adjudication. His Case has since been disposed of by the District Judge and the records of the Case are still in that Court. The Copy of Judgment is herewith submitted.

No. 1601 of 15th May 02.

Hamma Setty's petition is herewith resubmitted.

I have the honour to be
Sir,
Your most obedient Servant

for President

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Municipal
172 of 03-04
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10 AUG. 1903

From

M. Kantharaj Urs B.A.
PRESIDENT, CITY MUNICIPAL,
COMMISSION,
MYSORE.

To

H. V. Nanjundayya M.A.
SECRETARY TO THE GOVT. OF MYSORE.
REV. & GEN. DEPTS.

In the same 976-7 & 2/03

Dated 4th
Despatched 7th August 190
Received
General No. 17
No.

Enclosure No. 2

Re submitting the Hombla Chettiar application with a detailed report thereon.

4.8.03

S.S. 03

MGOPB—2,000—6-7-02.

A.S.ch
Rewritten & draft put up 12/8 C.J. 10/8

(13)

Municipal
172 of 03-04
H

No. 976
L. F. L&F 44-01.

MYSORE DEWAN'S OFFICE,
LOCAL BOARDS BRANCH.
The 29/8/1903

ENDORSEMENT granted to Honnaselly. residing in Paduvadaganjaikeri at. Mysore

in reply to his Petition Registered No. 72 dated the 3rd July '03 to the address of H. H. the Maharaja Complaining that his house in Paduvadaganjaikeri was forcibly acquired by the Municipality and demolished without paying Compensation therefor. and praying that Compensation may be paid to him

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Petitioner is informed that the Government see no grounds for interference in the matter, as the house was regularly taken possession of under the By order provisions of the Land Acquisition Act.

Memo No 977 dated 29/8/03
L.F 44-01

Copy forwarded to the President of the Municipal Commission, Mysore City, with reference to his letter No 17 dated the 4th Aug. '03

See D.J. 1/10/03

Regarding reference of this Case to the Civil Courts.

By Order,
24/8/03
Secretary.

23.VIII.03

D.J. 1/10/03

D.J. 1/10/03